

AFFIDAVIT

I, Detective Mark Showman, the undersigned Affiant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

1. I am a Police Officer for the Independence, Missouri Police Department (IPD), and have been continuously employed as a Police Officer since March 2008. Currently, I am assigned as a Detective to the Independence, Missouri Police Street Crimes Unit (SCU), and have served in that Unit since December of 2018.

2. On numerous occasions, I have spoken with suspects, defendants, and criminal investigators concerning the methods and practices of various offenders. Through these investigations, my training, experience, conversations with experienced agents, other drug investigators, and law enforcement personnel, in the United States, I have become familiar with the methods employed by criminal offenders in general. The information provided in this affidavit is based on my personal knowledge and observation during the course of this investigation, information conveyed to me by other law enforcement officials, and my review of records, documents, and other physical evidence obtained during the investigation.

The facts to support a finding of probable cause are as follows:

3. On July 17, 2020, at approximately 1220 hours, Independence SWAT, Independence Street Crimes Unit (SCU), and members of the United States Marshals Service were attempting to locate **Monty W. Ray** (W/M, DOB: 06/21/2000) who had active warrants for felony assault against a law enforcement officer and felony fleeing out of Jackson County, Missouri, in Case Number 2016-CR03210, and for a probation violation out of Franklin County, Kansas, in Case Number 19CR386. **Ray's** felony assault warrant originated from an incident that occurred on July 9, 2020. On that date, Independence, Missouri police officers attempted to contact **Ray** as he was a suspect in a package theft. **Ray** initially fled from officers on foot and ultimately entered the driver's seat of a vehicle. Officers approached the vehicle and observed **Ray** place the vehicle into gear. One of the officers grabbed **Ray** and said, "Don't do it." **Ray** then backed his vehicle into a patrol vehicle while running over the officer's left foot. A high-speed pursuit followed. **Ray's** vehicle reached speeds of approximately 110 mph while traveling through city streets and the pursuit was ultimately terminated due to public safety reasons.

4. On July 17, 2020, law enforcement officers observed **Ray** operating a 2020 Hyundai Elantra in the area of 107th Street and Blue Ridge Boulevard, Kansas City, Missouri, located in the Western District of Missouri. Officers ran the license plate of the Elantra and it responded as being reported stolen of Blue Springs, Missouri. The officers then stopped the vehicle at the intersection of 107th Street and Blue Ridge Boulevard.

5. When the officers attempted to stop the vehicle, **Ray** exited the vehicle and fled on foot. Officers pursued **Ray** and ultimately took him into custody on the other side of the intersection. The vehicle was also occupied by two individuals with one in the front passenger seat and the other in the back passenger seat.

6. Officers observed a Glock, Model 26, 9mm semi-automatic handgun, bearing Serial Number BDPB557, lying in plain view on the driver's seat. The Glock was loaded with ten rounds of 9mm ammunition with one additional round in the chamber. A Sig Sauer, Model P365, 9mm semi-automatic handgun, bearing Serial Number 66A8051119, was located in plain view in the center console cup holder. The Sig Sauer was loaded with nine rounds of 9mm ammunition with one additional round in the chamber. Both firearms had been reported stolen out of Blue Springs, Missouri.

7. During a subsequent search of the vehicle, Detective Fowler located five rounds of 9mm and one .223 caliber round in the glove box of the vehicle. He also located one spent 9mm shell casing on the driver's side floorboard of the vehicle.

8. Both passengers were interviewed separately at the scene. They both waived their *Miranda* rights and stated the guns belonged to **Ray**.

9. A review of **Ray's** criminal history report determined that he had a felony out of Franklin County, Kansas, for aggravated failure to appear, however, it could not be determined what the conviction status was at this time.

10. At approximately 1639 hours, Detective Burris and I conducted an in-custody interview with **Ray**. **Ray** was advised and waived his *Miranda* rights. **Ray** advised that he was a convicted felon out of Franklin County, Kansas. **Ray** stated that he served eight months on his felony conviction and additionally had a "backup" if he violated his probation. When questioned about the conviction status, **Ray** repeatedly confirmed that he was a convicted felon and that his charge was from a stolen automobile. **Ray** stated that he knew he was prohibited from possessing firearms.

11. **Ray** further stated that he did not know that the car was reported stolen. **Ray** advised that he borrowed the vehicle from a female friend that told him it was a rental that still had time on the rental lease. **Ray** stated that the Sig Sauer handgun was his and that he acquired the gun from a friend. **Ray** stated that he only had the gun for a day. **Ray** advised that his fingerprints and DNA would be on the firearm and that he shot the gun on one occasion. **Ray** stated that he shot the round into the ground. **Ray** stated that the Glock handgun was not his but that he had handled it. **Ray** identified the front passenger was the owner of the Glock. **Ray** stated that he was trying to buy the gun from the front passenger. **Ray** advised that his fingerprints and DNA would be present on the gun. **Ray** denied knowing the guns were reported stolen. **Ray** stated that he carries guns for his protection but denied that it was due to the sale or purchase of drugs. He stated that it was over a girl.

12. **Ray** further admitted to being a habitual user of marijuana. **Ray** stated that he has used marijuana daily since he was twelve years old and that he most commonly smokes blunts. **Ray** advised that he also uses methamphetamine occasionally. **Ray** did not consider himself to be addicted to methamphetamine but advised that he last used methamphetamine on July 16, 2020. **Ray** stated that he does not deal drugs but occasionally sells small amounts of marijuana to friends.

13. **Ray** stated that in regards to July 9, 2020 pursuit, he had originally fled from the officer because he had a gun in his pocket. **Ray** stated that he did not want to be caught with the gun because he knew he was prohibited from having it because he's a felon. **Ray** identified the gun as a Taurus G2C, 9mm handgun.

14. On July 20, 2020, I spoke with Special Agent Jeff Brock with the Bureau of Alcohol, Tobacco, Firearms and Explosives. Special Agent Brock advised that both the Glock and Sig Sauer handguns were not manufactured in the state of Missouri and therefore, had travelled in interstate commerce.

FURTHER AFFIANT SAYETH NAUGHT.

Presented by reliable electronic means and sworn to telephonically.

MARK SHOWMAN

Detective

Independence, Missouri Police Department

Subscribed to and sworn to before me

this 20th day of July, 2020. Sworn to by telephone

1:14 PM, Jul 20, 2020

Lajuana M. Counts

HONORABLE LAJUANA M. COUNTS

United States Magistrate Judge

Western District of Missouri

